
By: **Delegates V. Jones, Branch, Cadden, Conway, D'Amato, DeCarlo,
Dewberry, Flanagan, Hubers, Kagan, Kopp, Palumbo, Proctor, and
Stocksdale**

Introduced and read first time: February 7, 2001
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Employees' Pension System - University of Maryland Medical System**
3 **Corporation**

4 FOR the purpose of authorizing certain employees of the University of Maryland
5 Medical System Corporation who participate in the Employees' Pension System
6 to qualify for certain contributory pension benefits; providing for the purchase of
7 certain service credit to avoid a certain actuarial deficiency adjustment in an
8 allowance payable on behalf of certain members; altering the computation of a
9 certain cost-of-living adjustment for certain allowances; providing for the
10 payment of certain liabilities under this Act; making certain stylistic changes;
11 providing for the application of this Act; and generally relating to the
12 participation of certain employees and former employees of the University of
13 Maryland Medical System Corporation in a certain contributory pension benefit
14 and cost-of-living adjustment.

15 BY adding to
16 Article - State Personnel and Pensions
17 Section 21-307(1) and 23-307.3
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 2000 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article - State Personnel and Pensions
22 Section 23-201, 23-217, and 29-425
23 Annotated Code of Maryland
24 (1997 Replacement Volume and 2000 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That the Laws of Maryland read as follows:

1 (10) a former Baltimore City jail employee who became an employee of the
2 Baltimore City Detention Center and a member of the Employees' Pension System on
3 July 1, 1991;

4 (11) an employee of the Baltimore City Community College who is not a
5 clerical or professional employee;

6 (12) a court reporter for the Circuit Court for Charles County who is a
7 member of the Employees' Pension System on July 1, 1994, or transfers from the
8 Employees' Retirement System on or after July 1, 1994;

9 (13) a staff employee of the University System of Maryland, Morgan State
10 University, or St. Mary's College who is:

11 (i) a member of the Employees' Pension System on January 1,
12 1998, or transfers from the Employees' Retirement System on or after January 1,
13 1998; or

14 (ii) a staff employee of the University System of Maryland, Morgan
15 State University, or St. Mary's College who becomes an employee on or after January
16 1, 1998;

17 (14) on or after the date that the Board of Education of Kent County
18 begins participation in the Employees' Pension System, a supportive service employee
19 of the Board of Education of Kent County; [and]

20 (15) an employee of the Town of Oakland on or after the date that the
21 Town of Oakland begins participation in the Employees' Pension System; AND

22 (16) AN EMPLOYEE OF THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM
23 CORPORATION WHO WAS:

24 (I) AN EMPLOYEE OF THE UNIVERSITY OF MARYLAND ON JUNE 30,
25 1988, AND WHO BECAME A UNIVERSITY OF MARYLAND MEDICAL SYSTEM
26 CORPORATION EMPLOYEE ON OR BEFORE JULY 1, 1988; OR

27 (II) AN EMPLOYEE OF THE UNIVERSITY OF MARYLAND SYSTEM ON
28 JUNE 30, 1990, AND WHO VOLUNTARILY BECAME A UNIVERSITY OF MARYLAND
29 MEDICAL SYSTEM CORPORATION EMPLOYEE ON OR BEFORE JULY 1, 1991.

30 (b) Sections 23-202 through 23-205 of this subtitle do not apply to:

31 (1) an individual who is or is entitled to be a member of any State system
32 other than the Employees' Pension System;

33 (2) a contractual, emergency, or temporary extra employee;

34 (3) an individual who is employed under a federal public service
35 employment program;

1 (4) an assessor who is a member of a retirement or pension system
2 operated by a political subdivision of the State;

3 (5) an employee of a board of supervisors of elections who chose to stay in
4 a local merit system under Article 33, § 2-207 of the Code;

5 (6) a nonclerical or nonprofessional employee of the Baltimore City
6 Community College who:

7 (i) was an employee of the New Community College of Baltimore
8 during the 1989-1990 academic year;

9 (ii) was employed by the New Community College of Baltimore on
10 or before December 31, 1990, as a "Class A" member of the Baltimore City Retirement
11 Plan; and

12 (iii) elected to remain a member of the Baltimore City Retirement
13 Plan; or

14 (7) an employee who is not a member of a State system and who accepts
15 a position for which the budgeted hours per fiscal year are less than 500 hours in the
16 first fiscal year of employment.

17 23-217.

18 (a) Except as provided in subsection (b) of this section, this Part II of this
19 subtitle applies to an individual who is:

20 (1) a member of the Employees' Pension System, INCLUDING AN
21 EMPLOYEE OF THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM CORPORATION
22 DESCRIBED IN § 23-201(A)(16) OF THIS SUBTITLE, or the Teachers' Pension System; or

23 (2) a member of the Employees' Retirement System or the Teachers'
24 Retirement System subject to Selection C (Combination Formula) as provided in §
25 22-221 of this article.

26 (b) This Part II of this subtitle does not apply to an individual who is:

27 (1) an employee of:

28 (i) a participating governmental unit that has not elected the
29 contributory pension benefit for its employees under § 31-116 of this article; or

30 (ii) a former participating governmental unit, other than Frederick
31 County, that has withdrawn; or

32 (2) a member of the Employees' Pension System or Teachers' Pension
33 System who transferred from the Employees' Retirement System or Teachers'
34 Retirement System after April 1, 1998.

1 23-307.3.

2 (A) THIS SECTION APPLIES ONLY TO A FORMER MEMBER, MEMBER, RETIREE,
3 OR SURVIVING BENEFICIARY OF A MEMBER OF THE EMPLOYEES' PENSION SYSTEM
4 WHO, WHILE A MEMBER, WAS AN EMPLOYEE OF THE UNIVERSITY OF MARYLAND
5 MEDICAL SYSTEM CORPORATION DESCRIBED IN § 23-201(A)(16) OF THIS TITLE.

6 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A MEMBER OF
7 THE EMPLOYEES' PENSION SYSTEM WHO IS AN EMPLOYEE OF THE UNIVERSITY OF
8 MARYLAND MEDICAL SYSTEM CORPORATION MAY PURCHASE CREDIT FOR
9 ELIGIBILITY SERVICE FOR THE PERIOD OF EMPLOYMENT FROM JULY 1, 1998,
10 THROUGH JUNE 30, 2001, BY PAYING TO THE BOARD OF TRUSTEES:

11 (1) ON OR BEFORE JUNE 30, 2002, THE AMOUNT THE MEMBER WOULD
12 HAVE BEEN REQUIRED TO CONTRIBUTE FOR THAT PERIOD OF EMPLOYMENT; OR

13 (2) ON OR AFTER JULY 1, 2002, THE AMOUNT THE MEMBER WOULD HAVE
14 BEEN REQUIRED TO CONTRIBUTE FOR THAT PERIOD OF EMPLOYMENT PLUS
15 REGULAR INTEREST COMPOUNDED ANNUALLY.

16 (C) IF THE MEMBER FAILS TO MAKE THE PAYMENT REQUIRED UNDER
17 SUBSECTION (B) OF THIS SECTION, THE BOARD OF TRUSTEES SHALL REDUCE
18 ACTUARIALLY THE ALLOWANCE PAYABLE TO A FORMER MEMBER, RETIREE, OR
19 SURVIVING BENEFICIARY OF A DECEASED MEMBER, FORMER MEMBER, OR MEMBER.
20 29-425.

21 (a) This Part VI of this subtitle applies:

22 (1) on or after July 1, 1998 only to an allowance received by:

23 (I) a former member[,] OR retiree[, or] OF THE EMPLOYEES'
24 PENSION SYSTEM, INCLUDING AN INDIVIDUAL WHO AS A MEMBER WAS AN
25 EMPLOYEE DESCRIBED IN § 23-201(A)(16) OF THIS ARTICLE;

26 (II) A surviving beneficiary of a deceased member, former member,
27 or retiree of the Employees' Pension System, INCLUDING AN INDIVIDUAL WHO AS A
28 MEMBER WAS AN EMPLOYEE DESCRIBED IN § 23-201(A)(16) OF THIS ARTICLE [, or];

29 (III) A FORMER MEMBER OR RETIREE OF THE TEACHERS' PENSION
30 SYSTEM; OR

31 (IV) A SURVIVING BENEFICIARY OF A DECEASED MEMBER, FORMER
32 MEMBER, OR RETIRED OF the Teachers' Pension System; and

33 (2) on or after December 31, 2000, to an allowance received by a former
34 member, retiree, or surviving beneficiary of a deceased member, former member, or
35 retiree of the Law Enforcement Officers' Pension System.

36 (b) This Part VI of this subtitle does not apply if:

1 (1) the member, former member, or retiree was an employee of:

2 (i) a participating governmental unit that has not elected the
3 contributory pension benefit of its employees under § 31-116 of this article; or

4 (ii) a former participating governmental unit, other than Frederick
5 County that has withdrawn before July 1, 1998, while a member; or

6 (2) the member, former member, or retiree:

7 (i) transferred to the Law Enforcement Officers' Pension System
8 from the Employees' Retirement System; and

9 (ii) did not elect to participate in the Law Enforcement Officers'
10 Modified Pension Benefit on or before December 31, 2000 as provided in § 26-211 of
11 this article.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
13 construed retroactively and shall be applied to and interpreted to affect any
14 retirement benefits accruing, payable, or paid on or after July 1, 1998.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2001.